

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

TERRANCE KAVON KEATON

PLAINTIFF

VS.

CASE NO. 4:05CV0001839 JMM

CENDANT CAR GROUP, ET AL.

DEFENDANT

ORDER

On June 6, 2006, plaintiff who is proceeding *pro se* in this Title VII case was given notice of his responsibility to comply with all the Federal Rules of Civil Procedure as well as the Local Rules of the United States District Courts for the Eastern and Western Districts of Arkansas ("Local Rules"). Plaintiff was informed that failure to comply could result in dismissal of his claim.

Defendant's July 28, 2006 Proposed Rule 26(f) report states that plaintiff has an inoperable telephone number and that plaintiff has failed to respond to defendant's letter regarding the Rule 26(f) report.

On August 3, 2006, the Court directed plaintiff to Local Rule 5.5(c)(2) which states that *pro se* litigants are required to monitor the progress of their case, to prosecute or defend the action diligently, and to respond to any communication from the Court within thirty (30) days or their case could be dismissed without prejudice.

In that same Order plaintiff was directed to file on, or before, August 14, 2006, the Rule 26(f) report as required under the Federal Rules of Civil Procedure and the Scheduling Order issued by the Court on June 5, 2006 and mailed to the plaintiff on the same date. Plaintiff was again informed

that failure to respond could result in his complaint being dismissed without prejudice for failure to prosecute.

The record reflects that plaintiff has failed to file a timely Rule 26(f) report and that the Court's August 3, 2006 Order mailed by certified mail was unclaimed and returned as undeliverable.

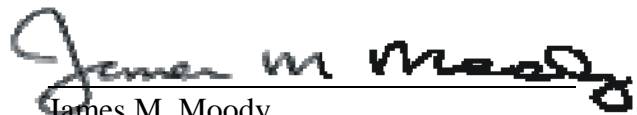
Pursuant to Local Rule 5.5(c)(2) of the United States District Courts for the Eastern and Western Districts of Arkansas *pro se* litigants are to promptly notify the Clerk and the other parties of any change in their address.

On September 7, 2006, plaintiff was directed to show cause on, or before, October 2, why his case should not be dismissed without prejudice for failure to prosecute. The Clerk of the Court was directed to serve the Order by both regular and certified mail at the two known addresses of plaintiff.

Plaintiff has failed to respond to any of the Court's Orders.

Based upon the above, plaintiff's complaint is dismissed for failure to prosecute.

IT IS SO ORDERED this 4th day of October, 2006.


James M. Moody
United States District Judge